

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38207 of 2019**

Arising Out of PS. Case No.-35 Year-2019 Thana- SARE District- Nalanda

Rahul Kumar Son of Manohar Prasad Resident of Village - Naurojpur, P.S.-  
Sare, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prasad Singh, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      04-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner who is in custody since 30.04.2019 has  
filed the instant application for grant of bail in connection with  
Sare P.S. Case No. 35 of 2019 registered for the offence  
punishable under sections 406,420,182 and 211 of the Indian  
Penal Code.

As per the allegation in the FIR, it is alleged that the  
petitioner and one another who carry out the delivery of the Flip  
Cart Company, lodged a false case which was registered as Sare  
P.S. Case No. 31 of 2019 under sections 392 and 34 of the  
Indian Penal Code with intention to cheat the Flip Cart  
Company.

It is submitted by learned counsel for the petitioner  
that the allegation that the case i.e. Sare P.S. Case No. 31 of



2019 was lodged by the petitioner with false allegation, is incorrect. It is further submitted that while the investigation in Sare P.S. Case No. 31 of 2019 was still continuing, the instant case being Sare P.S. Case No. 35 of 2019 was registered against the petitioner under sections 406,182 and 211 of the Indian Penal Code. The petitioner has no criminal antecedent and is in custody since 30.04.2019.

The application for bail has been opposed by the learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Sare P.S. Case No. 35 of 2019.

**(Partha Sarthy, J)**

Prakash/-

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